

Applicants: Stefan Somlo and Toshio Mochizuki
Serial No.: 09/753,008
Filed: January 2, 2001
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REMARKS

Claims 76-81 were pending in the subject application. By this amendment, applicants have amended Claims 76 and 79, and added new Claims 92-97.

Applicants maintain that the amendments do not raise an issue of new matter. Support for the genetic markers that flank the *PKD2* gene and are recited in new Claim 95 can be found on page 3, line 33; page 13, lines 26-27; and Figure 1A. Support for the other claim amendments can be found at least in the previous version of the claims. Accordingly, entry of the amendments is respectfully requested.

Rejections under 35 U.S.C. §112, First Paragraph

Claims 76-81 are rejected as failing to comply with the written description and enablement requirements of 35 U.S.C. §112, first paragraph, due to the breadth of the claims.

Claims 76-81 have hereinabove been amended to be directed to a method of detecting the *absence* of a mutation in the sequence of polycystic kidney disease type 2 (*PKD2*) gene (SEQ ID NO:6) in a human subject. New Claims 92-94 are directed to a method of detecting the presence or absence of a mutation in the nucleotide sequence set forth in SEQ ID NO:6. New Claims 95-97 are directed to a method of detecting the presence or absence of a mutation in the *PKD2* gene in a human subject comprising comparing human wild-type *PKD2* sequence (SEQ ID NO:6) with a polynucleotide sample from between genetic markers AFMa059xc9 and AICA1 on chromosome 4, which flank the *PKD2* gene.

Applicants maintain that the amended Claims 76-81 and new Claims 92-97 comply with both the written description and enablement requirements of 35 U.S.C. §112. Accordingly, reconsideration and withdrawal of these grounds of rejection are respectfully requested.

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CONCLUSIONS


Based on the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejections set forth in the April 4, 2005 Office Action are respectfully requested.

No fee is deemed necessary in connection with the filing of this reply. However, if any fee is required in connection with this reply or to preserve the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

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By 
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